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AUG 23 2005

ROBERT H. SHEMWEILL, CLERK
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

BRANDT D. YOES

: DOCKET NO. 05-0736

VS.

: JUDGE MINALDI

AETNA LIFE INSURANCE CO., ET
AL.

: MAGISTRATE JUDGE WILSON

JUDGMENT

There being no objection to the proposed findings of fact and conclusions of law in the Report and Recommendation of the Magistrate Judge previously filed herein these findings and conclusions are accepted. Alternatively, an independent review of the record has led this court to conclude that the proposed findings and conclusions are entirely correct. Accordingly, it is

ORDERED that plaintiff's motion to remand, as amended, [doc. #s 8 & 18] be, and it is hereby DENIED.

It is further ORDERED that plaintiff's request for costs and fees, be, and it is hereby DENIED.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 22 day
of August, 2005.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE